

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ELECTRONIC FRONTIER FOUNDATION,

Plaintiff,

VS.

DEPARTMENT OF JUSTICE,

Defendant.

Case No. 10-CV-4892-RS

**ORDER
STIPULATED REQUEST FOR ORDER
TO SET DEADLINE FOR
PARTIES TO FILE
JOINT REPORT SEEKING
CLARIFICATION CONCERNING
SCOPE OF COURT'S SUMMARY
JUDGMENT ORDER
[CIV. L.R. 6-2]**

Pursuant to the Court's December 17, 2013 Order, *see* ECF No. 81, the parties submit the following status report to apprise the Court of their efforts to resolve a potential dispute about the scope of the Court's Summary Judgment Order. ECF No. 77. The parties, through their counsel, have met and conferred on multiple occasions, and as a result of these efforts, have successfully eliminated all the disputes that exist between the parties concerning the scope of the Court's Summary Judgment Order save one: namely, whether the Drug Enforcement Administration

1 (“DEA”) has properly invoked Exemption 7(E) with respect to certain materials that the Court in
2 its Summary Judgment Order concluded were not properly withheld under Exemption 4. The
3 parties have stipulated to and request that within 14 days, or no later than January 29, 2014, they be
4 permitted to file a joint report seeking clarification as to whether the Court’s determination in its
5 Summary Judgment Order that certain DEA materials are not properly withheld under Exemption 4
6 precludes DEA from continuing to withhold certain of these materials pursuant to Exemption 7(E).
7
8 At some future date, Plaintiff also intends to seek fees.

9 The requested change will not affect any other dates in the present schedule.

10 DATED: January 15, 2014

11 /s/ Nicholas Cartier
12 NICHOLAS CARTIER, CA Bar #235858
13 Trial Attorney, Federal Programs Branch
14 Civil Division
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20 *Attorney for Defendant*

21
22 **CERTIFICATE OF SERVICE**

23 I hereby certify that on January 15, 2014, I caused a copy of the foregoing to be served on
24 Plaintiff via the Court’s ECF system.

25 /s/ Nicholas Cartier
26 NICHOLAS CARTIER
27
28

GENERAL ORDER NO. 45(X) CERTIFICATION

I attest that I have obtained the concurrence of Jennifer Lynch, counsel for Plaintiff, in the filing of this document.

/s/ Nicholas Cartier
NICHOLAS CARTIER

Pursuant to stipulation, by no later than January 29, 2014, the parties shall jointly file a report seeking clarification as to whether the Court's determination in its Summary Judgment Order that certain DEA materials are not properly withheld under Exemption 4 precludes DEA from continuing to withhold certain of these materials pursuant to Exemption 7(E).

SO ORDERED.

Dated: 1/15/14



Hon. Richard Seeborg
United States District Judge